

## September 3, 2019 Zoning and Platting Commission Agenda Q & A Report

### C. PUBLIC HEARINGS

1. **Restrictive Covenant Termination:** [C14-86-015\(RCT\) - Westminster; District 10](#)  
Location: 4100 Jackson Avenue, Johnson Creek Watershed; Shoal Creek Watershed  
Owner/Applicant: Westminster Manor Health Facilities Corp. (Charles Borst)  
Agent: Land Use Solutions, LLC (Michele Haussmann)  
Request: To terminate a Restrictive Covenant  
Staff Rec.: **Recommended**  
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov  
Planning and Zoning Department

#### Question: Commissioner King

Regarding this case, has the Austin Transportation Department (ATD) officially indicated that it doesn't need right of way for Mueller Avenue and doesn't need or recommend Mueller Avenue for connectivity or transit related purposes?

Can staff provide written documentation regarding ATD's position on the termination of the restrictive covenant regarding Mueller Avenue?

**Answer: Pending**

3. **Rezoning:** [C14-2019-0096 - Echelon I & II Office; District 10](#)  
Location: 9430 Research Boulevard, Bull Creek Watershed  
Owner/Applicant: 183 Echelon LP (Glenn Jackson)  
Agent: Rivera Engineering (Michael A. Rivera)  
Request: LO to GO  
Staff Rec.: **Recommended**  
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov  
Planning and Zoning Department

#### Question: Commissioner Denkler

1) Are applicants supposed to go to the development assistance center for a recommendation on zoning changes first? IE Is this a new requirement?

2) Is there access from the site to the frontage road of 183?

3) Were on site water quality controls built when the parking garage was built?

4) Why weren't sidewalks required?

**Answer: Staff**

- 1) Yes, if the applicant's want a preliminary recommendation on a proposed zoning change then they can take the request to the Development Assistance Center. Glenn Rhoades brings these requests to the zoning staff's weekly meeting.
- 2) Yes, there is access to this property from the frontage road of US 183. They also have access off of Jollyville Road.
- 3) The zoning staff does not review site plans. The most current site plan is attached. This office complex is part of a larger development. Echelon also owns the buildings to the north.
- 4) There are sidewalks along this property on Jollyville Road.

Additional information: See, Exhibit C-03 -A

**Question: Commissioner King**

The backup for this case includes a statement from the applicant that GO zoning is necessary to allow Concordia University to lease the property. As I understand, private & public primary educational services, and private & public secondary educational services are allowed uses under the current LO zoning for this property.

1. Is GO zoning required for Concordia University to lease this property? If yes, why?
2. Is staff recommending a conditional overlay to establish a limit of 2,000 trips per day for this site? If no, why?

**Answer: Staff**

1. Concordia University is considered a College and University Facilities use. This use is first permitted in the GO, General Office District. In addition, there are Medical Office uses on the property that are not permitted under the current LO district.

2. The Transportation Review staff does not recommend placing a conditional overlay for a 2,000 vehicle trip limitation at the time of zoning/rezoning. They will review this property at the time of site plan application to determine if a TIA, off-site transportation improvements/mitigations and if right-of-way dedication is required. (Please see the Transportation comments in the zoning case report).

**7. Preliminary Plan:** [C8-2018-0109 - Oaks At Slaughter; District 2](#)

Location: 8409 South Congress Avenue, Onion Creek Watershed

Owner/Applicant: SOCO 35 Retail, Ltd. (C. Patrick Oles)

Agent: Stantec (Ryan Taylor)

Request: Approve a preliminary subdivision of 9 lots on 18.761 acres.

Staff Rec.: **Recommended**

Staff: Sylvia Limon, 512-974-2767, [sylvia.limon@austintexas.gov](mailto:sylvia.limon@austintexas.gov)  
Development Services Department

**Question: Commissioner Denkler**

- 1) Please provide TXDOT's comments. Have they approved the extension of Ralph Ablanedo Drive to the frontage road?
- 2) Are there more recent traffic numbers for Ralph Ablanedo Drive, South Congress, etc? (I know the city/TxDOT does counts on all streets on a cycle.)

**Answer : Staff**

1. TxDOT has approved the extension of Ralph Ablanedo Drive and the street connections to S. Congress Ave. and the I-35 Frontage Road. Please see the attached emails for your assistance.
2. Pending



## Exhibit C-03 - A

### Watershed Protection and Development Review Department

P.O. Box 1088, Austin, Texas 78767

One Texas Center, 505 Barton Springs Road

Telephone: (512) 974-6370 Fax: (512) 974-2423

### Site Plan Correction Request

Site Plan Case #: ~~SP-2007-0414B~~ <sup>-2014-</sup> Correction #: 2 Expiration Date: 08/25/2018

Site Address: 9430 Research Boulevard

Project Name: Echelon 1 & 2 Office Site

- ☐ Site has a City of Austin Certificate of Occupancy.  
☒ Site is under construction (*provide written verification from the Environmental Inspector*).  
☐ Site is in an extra-territorial jurisdiction and has a Certificate of Compliance.

**Brief /General Description of Correction:**

Modified Proposed Fire Hydrant Location Based On Field Conditions. Revised Storm Water Quality Pond Wall And Volume Based On Slight Change In One Pond Wall.

**Attach a detailed description of the proposed correction(s) in a memorandum or letter and one redline copy of the proposed correction(s) to a copy of a City of Austin approved site plan that includes the cover sheet.**

I, Michael A. Rivera, do hereby certify that I am the  
(PRINT NAME)

☐ owner ☒ owner's agent (*to act as the owner's agent, written authorization from the owner must be provided*) of this described property, and in this capacity, submit this request for a site plan correction. The change(s) are considered "administrative correction(s)" pursuant to Chapter 25-5-61 of the Austin City Code.

Furthermore, I certify and acknowledge that:

1. The approval of this site plan correction request does not constitute authorization to violate any provisions of the Austin City Code or other applicable requirements.
2. I will be responsible and required to seal or certify the correction being made. In addition, a copy of a letter notifying the original consultant of the documents (engineer, architect, landscape architect, or designer) of the proposed corrections shall be submitted and attached to this request.

Signature of Requester

Date: 01/23/2018

Address: P. O. Box 90485, Austin, Tx 78709-0485

Telephone: (512) 899-3310

Please indicate how you wish to receive a copy of the results of the review:

☐ Mail ☐ FAX: ☒ E-mail: michaelriveraengineering@gmail.com

# Exhibit C-03 - A

## Departmental Use Only

Project Name: <b>CONELON / 42 OFFICE SITE</b>		Case Number: <b>SF-204-04143</b>		Applicant Name:
<input checked="" type="checkbox"/> If Required	Reviewer <b>N Arzenne</b>	Date <b>2-14-18</b>	Comments	
<input checked="" type="checkbox"/> Site Plan				

A

<input type="checkbox"/> Transport		
<input type="checkbox"/> Eng		
<input type="checkbox"/> Environ		
<input type="checkbox"/> AFD		
<input type="checkbox"/> AWU		
<input type="checkbox"/> Plumbing		
<input type="checkbox"/> AE		

<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Determined to be a <input type="radio"/> Revision <input type="radio"/> New Project
--	---------------------------------	--

Building permit required? ☐ Yes ☐ No ☐ N/A  
 Smart Housing Project? ☐ Yes ☐ No  
 Changes in Impervious Cover? ☐ Yes ☐ No

Qualifies for exemption per Section 25-5-2(\_\_\_\_)

### Check all that apply:

- ☐ Review Fee(s) Not Required
- ☐ Site Plan Correction/ Exemption Review Fee
- ☐ Change of Use Review Fee
- ☐ Phasing Review: \_\_\_\_\_ phases
- ☐ Landscape Inspection: \_\_\_\_\_ acres
- ☐ Shared Parking Review

# Exhibit C-03 - A



City of Austin

## Development Assistance Center

One Texas Center, 505 Barton Springs Road

P.O. Box 1088, Austin, Texas 78767

Telephone: (512) 974-6370 Fax: (512) 974-2423

## Determination of a Site Plan Correction Request

Date: Thursday February 15, 2018

Number of pages including cover: 1

From: Sallie Correa

To: Michael A. Rivera Rivera Engineering

Telephone: (512) 899-3310 FAX: (512) -

Project Name: SP-2014-0414B (Echelon 1 & 2 Office Site)

Address: 9430 RESEARCH BLVD SVRD SB

Staff Contact: Lynda Courtney

Telephone: No Phone

### Review Results

Your request has been **Approved**.

### Fees Due

### Cost

Site Plan Correction Review	152.88
Landscape Inspection:	
Shared Parking Review	
Phasing Review:	
Change of Use Review	
Commercial Exemption Review	
<b>TOTAL COST:</b>	<b>152.88</b>

Based on the following your request has been approved (*see comments*):

*Once the mylar set has been pulled an associate will contact you to schedule a correction appointment*

Comments:

# Exhibit C-03 - A



## City of Austin

### Development Assistance Center

One Texas Center, 505 Barton Springs Road

P.O. Box 1088, Austin, Texas 78767

Telephone: (512) 974-6370 Fax: (512) 974-2423

## Determination of a Site Plan Correction Request

Date: Monday February 05, 2018

Number of pages including cover: 1

From: Andria Burt

To: Michael A. Rivera Rivera Engineering

Telephone: (512) 899-3310 FAX: (512) -

Project Name: ECHELON 1& 2 OFFICE SITE

SP-2014-0414B

Address: 9430 RESEARCH BLVD SVRD SB

### Review Results

Your request has been **Rejected**

### Fees Due

### Cost

Site Plan Correction Review

Landscape Inspection:

Shared Parking Review

Phasing Review:

Change of Use Review

Commercial Exemption Review

**TOTAL COST:**

Based on the following your request has been Review Completed (*see comments*):

### Comments:

PROVIDE PUBLIC WORKS APPROVAL FOR SIDEWALK MODIFICATION. SIDEWALK MODIFICATION SHOULD BE REFLECTED ON ALL RELEVANT PAGES WHICH IT OCCURS. (V. AUZENNE 974-2941)



# Exhibit C-03 - A

## **RIVERA ENGINEERING** TX PE FIRM REGISTRATION NO. F-11492

P.O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Email: michaelriveraengineering@gmail.com

February 12, 2018

Mr. Viktor Auzenne  
Development Assistance Center  
Development Services Dept.  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78704

via Hand Delivery

Re: **Echelon I & II Office Site – 9430 Research Boulevard  
Administrative Site Plan (City of Austin Case No. SP-2014-0414B)  
Site Plan Correction No. 2 Application Update Submittal**

Dear Viktor:

Please accept this letter as our formal response to the city staff comments we received for the Echelon I & II Office site plan correction number two application. This project is located at 9430 Research Boulevard (city of Austin Site Plan Case No. SP-2014-0414B). As indicated in our correction application, we are submitting this request in order to address several issues that have come up during the site construction.

In response to your comments, we provide the following information.

The email approval we received from Dr. Bill Hadley with the Public Works Department for the changes to the sidewalk on Jollyville Road is attached. Please note that the date of his email is before the submittal date of our site plan correction application. We have been working with Dr. Hadley since identifying the need to make changes to the fire hydrant and sidewalk. As requested, all the other site plan sheets that show the sidewalk have been added to the proposed correction drawings.



## Exhibit C-03 - A

Mr. Viktor Auzenne  
February 12, 2018  
Page 2

We believe the enclosed plans now meet the requirements for approval of the site plan correction, and look forward to your positive response to our request for approval. Should you have any questions about this information, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Rivera'.

Michael A. Rivera, P.E.  
President  
Rivera Engineering  
TX PE Firm Registration No. F-11492

Attachments



Michael Rivera <michaelriveraengineering@gmail.com>

## Waiver: non-std locn of PCA , non-std slopes 9430 Research Blvd (Echelon I, II) (122717)S

5 messages

Hadley, Bill <Bill.Hadley@austintexas.gov>

Thu, Dec 28, 2017 at 6:50 AM

To: "Thralls, Nancy" <Nancy.Thralls@austintexas.gov>

Cc: "Jones, Michael J. [DSD]" <Michael.Jones2@austintexas.gov>, "Wagner, Shane" <Shane.Wagner@austintexas.gov>, Michael Rivera <michaelriveraengineering@gmail.com>

December 27, 2019

Nancy,

*I received an informal request (1<sup>st</sup> attachment) for a Waiver to a Standard (4335-2) for a non-standard location of the Pedestrian Crossing Area (PCA) and non-standard slopes to address an existing duct bank for a proposed residential commercial driveway at 9430 Research Boulevard (2<sup>nd</sup> attachment).*

*The waiver request includes non-standard approach driveway slopes as follows for the centerline of the proposed approach driveway:*

*It is suggested that beginning at the front (street side) edge of the existing gutter,*

*construct the approach driveway slopes as follows:*

*A maximum negative (downward) 6.67% slope for 16" (1" drop in 16" to form a gutter),*

*A maximum positive (upward) 17% slope for 57",*

*Then a maximum negative (downward) slope of 2% for 60" (forming a Pedestrian Crossing Area or PCA) , and*

*A maximum negative (downward) slope of 11.5% to the ROW and beyond to a match with existing asphalt pavement.*

*The same profile suggested above should be used all across the width of the proposed approach driveway. In all instances there shall be a minimum 9" (i.e. 7" of concrete and 2" of sand base layer) vertical distance from the proposed top of the concrete driveway to top of the existing duct bank.*

*It is also suggested that adjacent reconstructed sidewalks connect with the approach driveway at the PCA location. This may require that the existing sidewalk alignment (3<sup>rd</sup> and 4<sup>th</sup> attachments) be meandered to make the connection. The running slope of the proposed reconstructed/realigned sidewalk should not exceed 5% or the slope of the adjacent street, whichever is greater. The cross-slope of the reconstructed sidewalk shall not exceed 2%.*

# Exhibit C-03 - A

2/12/2018

Gmail - Waiver: non-std locn of PCA , non-std slopes 9430 Research Blvd (Echelon I, II) (122717)S

*The waiver requests is approved.*

*Please attach the various documents to the permit to construct the approach driveway.*

*Please advise if you have any questions.*

*Bill Hadley, Ph.D., P.E.*

*Consulting Engineer*

*The Office of The City Engineer (OCE)*

*Department of Public Works*

*The City of Austin Texas USA*

----- Forwarded message -----

From: Michael Rivera <michaelriveraengineering@gmail.com>

To: "Hadley, Bill" <Bill.Hadley@austintexas.gov>

Cc:

Bcc:

Date: Tue, 19 Dec 2017 17:35:49 +0000

Subject: Waiver Request for Echelon I & II Office Site Driveway

Hello Dr. Hadley,

As discussed earlier this morning, I am writing you to formally request a waiver from the construction requirements of the city of Austin Type II Driveway detail (city Standard No. 433S-2). This request is for the Echelon I & II Office site located at 9430 Research Boulevard (city site plan case number SP-2014-0414B).

As we talked about, the grade of the existing right-of-way and sidewalk is lower than the curb along Jollyville Road. The contractor needs to be able to grade the proposed driveway (driveway that is replacing an existing driveway) so that the drive slopes back into the site within the street right-of-way. This waiver request is consistent with what was done recently for the driveway for the Grace Covenant Church site just north of this project on Jollyville Road.

We look forward to your positive response. Please let me know when we can meet you out at the site to review the driveway conditions. As we talked about, this site is under construction. The driveway is one of the few remaining items needed to complete the project. Thanks.

Mike

Michael A. Rivera, P.E.

Rivera Engineering

TX PE Firm Reg. No. F-11492

P. O. Box 90485

Austin, TX 78709

512.899.3310 (office)

512.415.5634 (mobile)

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**4 attachments**

# Exhibit C-03 - A

## **RIVERA ENGINEERING TX PE FIRM REGISTRATION NO. F-11492**

P.O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Email: michaelriveraengineering@gmail.com

January 23, 2018

Ms. Jennifer Back, P.E.  
Development Assistance Center (DAC)  
Development Services Dept.  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78704

via Hand Delivery

**Re: Echelon I & II Office Site – 9430 Research Boulevard  
Administrative Site Plan (City of Austin Case No. SP-2014-0414B)  
Formal Request for Approval of a Site Plan Correction No. 2**

Dear Jennifer:

Please accept this letter as our formal request for approval of site plan correction number two for the Echelon I & II Office site. This project is located at 9430 Research Boulevard (city of Austin Site Plan Case No. SP-2014-0414B). As discussed at our recent meeting, the site plan correction is being requested in order to incorporate changes to the on-site storm water quality pond. In addition, the proposed fire hydrant on Jollyville Road is being modified. These changes are needed to address field conditions discovered during construction. Austin Water Pipeline Engineering has signed the attached site plan replacement sheet for changes to the fire hydrant.

As we discussed, the storm water quality pond volume provided will be reduced very slightly with this proposed site plan correction. The current water quality volume provided is 2,895 cubic feet (based on the original pond design). The water quality volume provided after the proposed modification will be 2,801 cubic feet (a 94 cubic foot reduction). The volume provided with the proposed site plan correction will still be greater than the required water quality volume, which is 2,360 cubic feet. Pond volume calculations showing these numbers in detail are enclosed. The site plan sheet with the pond volume information has been modified and is attached.

Enclosed please find all the required submittal information to process our request for the site plan correction. A red-stamped copy of the plans with the proposed changes noted in red are attached. A site plan correction application is also enclosed.

# Exhibit C-03 - A

Ms. Jennifer Back, P.E.  
January 23, 2018  
Page 2

We look forward to your positive response to our request for approval of the site plan correction. Should you have any questions about this information, please feel free to contact me.

Sincerely,



Michael A. Rivera, P.E.  
President  
Rivera Engineering  
TX PE Firm Registration No. F-11492



Attachments

# Exhibit C-03 - A

## RIVERA ENGINEERING TX PE FIRM REGISTRATION NO. F-11492

P.O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Email: michaelriveraengineering@gmail.com

### Echelon I & II Office Site – 9430 Research Boulevard City of Austin Site Plan Case No. SP-2014-0414B Storm Water Quality Pond Volume Calculations



#### Original Plan Volume

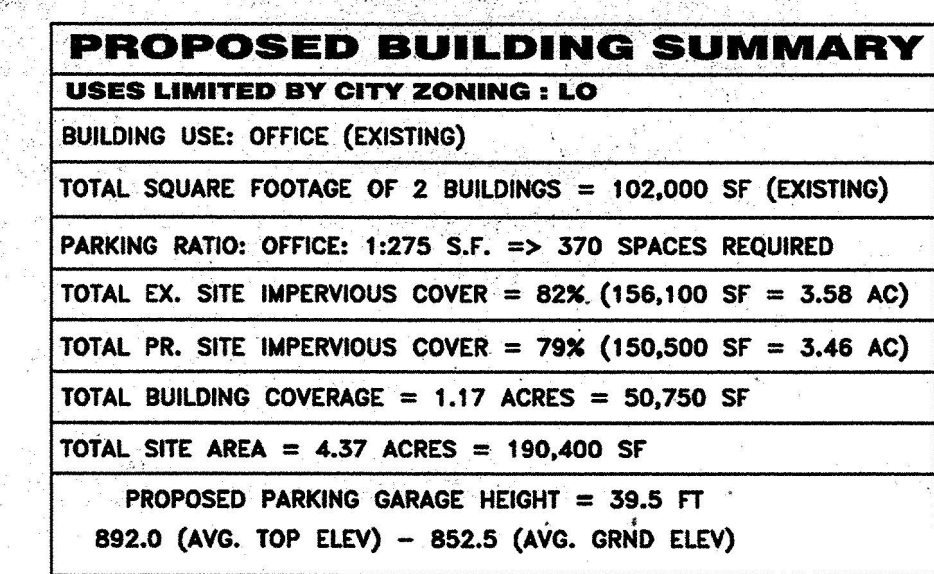
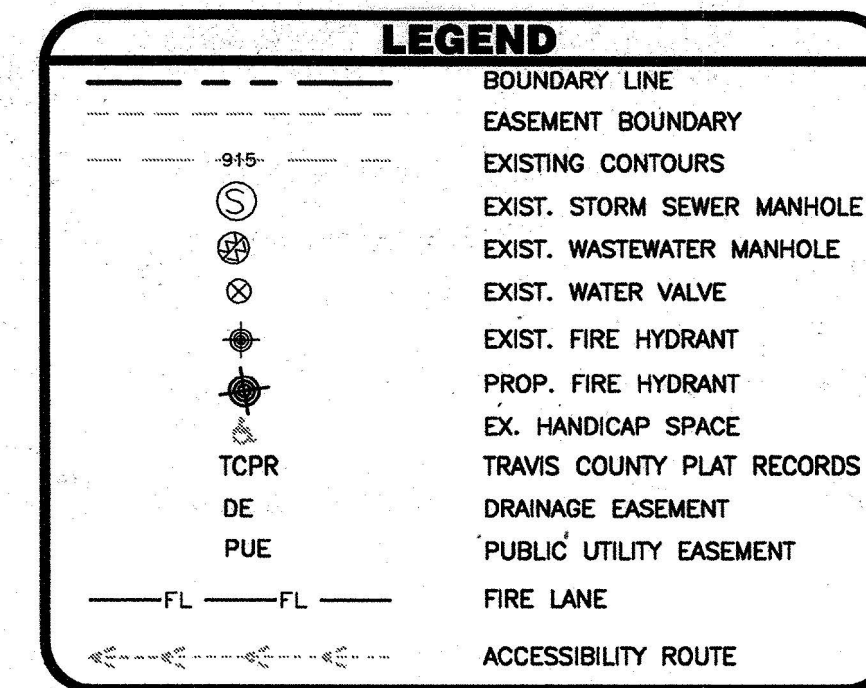
<i>Elevation</i>	<i>Area (Square Feet)</i>	<i>Volume (Cubic Feet)</i>	<i>Summation of Volume (Cubic Feet)</i>
842.7	522	0	0
842.9	646	117	117
844.0	646	711	828
845.0	646	646	1,474
846.0	646	646	2,120
847.0	646	646	2,766
847.2	646	129	2,895

#### Correction 2 Plan Volume

<i>Elevation</i>	<i>Area (Square Feet)</i>	<i>Volume (Cubic Feet)</i>	<i>Summation of Volume (Cubic Feet)</i>
842.7	501	0	0
842.9	625	113	113
844.0	625	688	801
845.0	625	625	1,426
846.0	625	625	2,051
847.0	625	625	2,676
847.2	625	125	2,801

Water Quality Volume Required = 2,360 Cubic Feet < 2,801 Cubic Feet Provided





	<b>NUMBER OF SPACES REQUIRED</b>	<b>NUMBER OF SPACES PROVIDED</b>
<b>HANDICAPPED SPACES</b>	9	11
<b>COMPACT SPACES</b>	—	—
<b>REGULAR SPACES</b>	110	476
<b>TOTAL SPACES</b>	370	487
<b>BICYCLE SPACES</b>	25	25

NOTE: EXISTING TOPOGRAPHIC INFORMATION FROM PROPERTY TOPOGRAPHIC AND TREE SURVEY PREPARED BY HOLT CARSON, INC. AND REPRODUCED HEREON.

**CONTRACTOR WARNING:**

**CONTRACTOR WARNING:**  
THE CONTRACTOR IS SPECIFICALLY NOTIFIED THAT THE LOCATIONS OF ALL EXISTING UTILITIES ARE NOT SHOWN ON THESE PLANS. THESE PLANS ARE BASED PARTIALLY ON RECORDS OF THE CITY OF AUSTIN. WHERE POSSIBLE, MEASUREMENTS WERE TAKEN IN THE FIELD TO VERIFY LOCATIONS OF WATER, WASTEWATER AND STORM SEWER LINES. THIS INFORMATION IS BEING FURNISHED TO THE CONTRACTOR SO THAT HE MUST CONTACT THE APPROPRIATE UTILITY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST THE EXACT FIELD LOCATIONS AS REQUIRED. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE EXISTING PROPOSED UTILITY LOCATIONS SHOWN ON THESE PLANS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ADJUST THE PROPOSED UTILITIES AS REQUIRED TO ALLOW THE DESIGN TO BE CONSTRUCTED. (SEE SEQUENCE OF CONSTRUCTION)

**SITE PLAN RELEASE**

Sheet **3** of **19**

FILE NUMBER: **SP-2014-04148** EXPIRATION DATE: 8/25/18  
CASE MANAGER: LYNDA COURTNEY APPLICATION DATE: 10/14/14  
APPROVED ADMINISTRATIVELY ON: 8/25/15  
APPROVED BY PLANNING COMMISSION ON: N/A  
APPROVED BY CITY COUNCIL ON: N/A  
under Section 112 of Chapter 25-5 of the Austin City Code.  
Lynda Courtney  
Director, Development Services Department  
DATE OF RELEASE \_\_\_\_\_ Zoning: LO  
Rev. 1 \_\_\_\_\_ Correction 1 \_\_\_\_\_  
Rev. 2 \_\_\_\_\_ Correction 2 \_\_\_\_\_  
Rev. 3 \_\_\_\_\_ Correction 3 \_\_\_\_\_

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA. INFORMATION AND CALCULATIONS SUPPLY BY THE APPLICANT, THE ENGINEER OR RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

[illegible]

STATE OF TEXAS  
★ ★ ★ ★ ★  
MICHAEL A. RIVERA  
60198  
REGISTERED  
PROFESSIONAL ENGINEER  
12/21/11

SHEET **3** OF **19**

**SP-2014-0414B**